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AT 8:30
WILLIAM T. WALSH
CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

HOSPIRA, INC. and ORION
CORPORATION,

Plaintiffs,

v.

SANDOZ INTERNATIONAL GmbH and
SANDOZ INC.,

Defendants.

Civil Action No. 3:09-cv-04591-MLC-TJB

DOCUMENT ELECTRONICALLY FILED

ORDER GRANTING MOTION TO SEAL

THIS MATTER having been brought before the Court by Hill Wallack LLP and Morrison & Foerster LLP, attorneys for defendant Sandoz Inc., seeking entry of an Order sealing documents pursuant to Local Civil Rule 5.3(c) in the presence of attorneys for Plaintiffs, and the Court having read and considered the moving, opposing and reply papers, if any, and having heard argument of counsel, and for good cause shown:

IT IS on this 5th day of October, 2010,

THE COURT FINDS that this is a patent action that involves confidential information, specifically the documents or portions of the following documents filed under seal contain

confidential information that the defendants have a legitimate interest in protecting as this information is confidential because its competitors in the marketplace could utilize the information to gain an unfair competitive advantage to their detriment.

THE COURT FURTHER FINDS that the clearly defined and serious injury that would result should the Order to Seal not be granted is that valuable business and trade secrets created at substantial expense by the defendants will be lost and competitors would unjustly gain access to them. Specifically, the parties' confidential research information would be revealed to their competitors and these competitors would unjustly gain the ability to thwart, anticipate or usurp those plans and strategies to the competitors' advantage and the parties' loss.

THE COURT FURTHER FINDS that no less restrictive alternative is available to prevent the defined and serious injury to the parties due to the fact that Defendants rely on the confidential materials in its Memorandum of Law and Declaration of Kyle Mooney submitted in support of Defendants motion for Sandoz Canada Inc. to serve invalidity and non-infringement contentions and for leave for Sandoz Inc. to serve amended invalidity and non-infringement contentions.

THE COURT FURTHER FINDS that Defendants have complied with the dictates set forth in Local Civil Rule 5.3(c)(2) and in case law related thereto.

THEREFORE, for good cause shown and in order to preserve the confidentiality of the aforesaid documents:

IT IS ORDERED that Defendants' motion to file under seal portions of page 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23 and 25 of Defendants' Memorandum

of Law in support of Defendants motion for Sandoz Canada Inc. to serve invalidity and non-infringement contentions and for leave for Sandoz Inc. to serve amended invalidity and non-infringement contentions and paragraph 15, 27 and 29 of the Declaration of Kyle Mooney in support of motion is hereby granted.

IT IS FURTHER ORDERED that the above-listed document shall be maintained under seal by the Clerk of the Court.



, U.S.M.J.

[It is further Ordered that the Clerk of the Court terminate this Motion, docket entry no. 103, and docket entry no 93, accordingly]